

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01081-CJN**

MALONE et al v. U.S. DEPARTMENT OF STATE et al
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 05/08/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

PATRICK MALONE

represented by **Peter Newbatt Smith**
CENTER FOR PUBLIC INTEGRITY
910 17th Street, NW
7th Floor
Washington, DC 20006
(202) 481-1239
Fax: (202) 466-1102
Email: psmith@publicintegrity.org
ATTORNEY TO BE NOTICED

Plaintiff

PRATHEEK REBALA

represented by **Peter Newbatt Smith**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

CENTER FOR PUBLIC INTEGRITY

represented by **Peter Newbatt Smith**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF STATE

represented by **Benton Gregory Peterson**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2534
Fax: (202) 252-2599
Email: benton.peterson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Derek S. Hammond
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2511
Fax: (202) 252-2599
Email: derek.hammond@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF ENERGY

represented by **Benton Gregory Peterson**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Derek S. Hammond
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/08/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-5468913) filed by PATRICK MALONE, CENTER FOR PUBLIC INTEGRITY, PRATHEEK REBALA. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to State Dept, # <u>3</u> Summons to Energy Dept, # <u>4</u> Summons to U.S. Atty, # <u>5</u> Summons to Atty Gen)(Smith, Peter) (Attachment 1 replaced on 5/8/2018) (zsth). (Entered: 05/08/2018)
05/08/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR PUBLIC INTEGRITY (Smith, Peter) (Main Document 2 replaced on 5/9/2018) (ztnr). (Entered: 05/08/2018)
05/08/2018		Case Assigned to Judge Amit P. Mehta. (zsth) (Entered: 05/08/2018)
05/08/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 05/08/2018)
05/14/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/14/2018. Answer due for ALL FEDERAL DEFENDANTS by 6/13/2018. (Smith, Peter) (Entered: 05/14/2018)
06/05/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF ENERGY served on 5/18/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/18/2018. (Attachments: # <u>1</u> Exhibit Return Receipt – DOE, # <u>2</u> Exhibit Return Receipt – Attorney General, # <u>3</u> Exhibit USPS letter re State Dep't)(Smith, Peter) (Entered: 06/05/2018)
06/11/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF STATE served on 6/11/2018 (Attachments: # <u>1</u> Exhibit Return Receipt – State Dep't)(Smith, Peter) (Entered: 06/11/2018)
06/13/2018	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE.(Peterson, Benton) (Entered: 06/13/2018)
06/15/2018	<u>8</u>	MINUTE ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before June 29, 2018. The Joint Status Report shall include: (1) the status of Plaintiffs' FOIA request; (2) the anticipated number of documents responsive to Plaintiffs' FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiffs; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 6/15/2018. (lcapm2) (Entered: 06/15/2018)
06/15/2018		Set/Reset Deadlines: Parties Joint Status Report due on or before June 29, 2018. (ldc) (Entered: 06/15/2018)
06/29/2018	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Peterson, Benton) (Entered: 06/29/2018)
07/02/2018		MINUTE ORDER. In light of the parties' <u>9</u> Joint Status Report, the parties are directed to file another Joint Status Report on or before September 5, 2018, that updates the court on their search and production efforts and, if necessary, proposes a briefing

		schedule for summary judgment. Signed by Judge Amit P. Mehta on 7/2/2018. (lcapm2) (Entered: 07/02/2018)
07/02/2018		Set/Reset Deadlines: Joint Status Report due by 9/5/2018. (kt) (Entered: 07/02/2018)
09/05/2018	<u>10</u>	Joint STATUS REPORT by CENTER FOR PUBLIC INTEGRITY, PATRICK MALONE, PRATHEEK REBALA. (Smith, Peter) (Entered: 09/05/2018)
09/06/2018		MINUTE ORDER. In light of the parties' <u>10</u> Joint Status Report, the parties shall file an additional Joint Status Report on or before December 4, 2018. Signed by Judge Amit P. Mehta on 9/6/2018. (lcapm2) (Entered: 09/06/2018)
09/06/2018		Set/Reset Deadlines: Joint Status Report due by 12/4/2018. (zjd) (Entered: 09/07/2018)
12/04/2018	<u>11</u>	Joint STATUS REPORT by CENTER FOR PUBLIC INTEGRITY, PATRICK MALONE, PRATHEEK REBALA. (Smith, Peter) (Entered: 12/04/2018)
12/05/2018		MINUTE ORDER. In light of the parties' <u>11</u> Joint Status Report, the parties shall file an additional Joint Status Report on or before March 4, 2019. Signed by Judge Amit P. Mehta on 12/5/2018. (lcapm2) (Entered: 12/05/2018)
12/05/2018		Set/Reset Deadlines: Joint Status Report due by 3/4/2019. (zjd) (Entered: 12/06/2018)
03/01/2019	<u>12</u>	NOTICE of Appearance by Derek S. Hammond on behalf of All Defendants (Hammond, Derek) (Entered: 03/01/2019)
03/04/2019	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Hammond, Derek) (Entered: 03/04/2019)
03/06/2019		MINUTE ORDER. The parties shall file their next Joint Status Report no later than June 2, 2019, updating the court on Defendants' production efforts. Signed by Judge Amit P. Mehta on 3/6/2019. (lcapm2) (Entered: 03/06/2019)
03/06/2019		Set/Reset Deadlines: Joint Status Report due by 6/2/2019. (zjd) (Entered: 03/10/2019)
05/31/2019	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Hammond, Derek) (Entered: 05/31/2019)
06/03/2019		MINUTE ORDER. The parties shall file their next Joint Status Report no later than August 30, 2019, updating the court on Defendants' production efforts. Signed by Judge Amit P. Mehta on 6/3/2019. (lcapm2) (Entered: 06/03/2019)
06/03/2019		Set/Reset Deadlines: Joint Status Report due by 8/30/2019. (zjd) (Entered: 06/03/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Amit P. Mehta is no longer assigned to the case. (rj) (Entered: 06/24/2019)